



<b>PETITION NUMBER:</b>	1006-PUD-06	
<b>APPROXIMATE LOCATION:</b>	2432 South Street	
<b>PETITIONER:</b>	Westfield Investments, LLC	
<b>REPRESENTATIVE:</b>	Jim Anderson	
<b>REQUEST:</b>	Change in zoning of approximately 9.5 acres to the Kalorama Park PUD District.	
<b>CURRENT ZONING:</b>	AG-SF1	
<b>STAFF REVIEWER:</b>	Ryan Schafer	
<b>ZONING HISTORY:</b>	None	
<b>EXHIBITS:</b>	<ol style="list-style-type: none"><li>1. Staff Report</li><li>2. Aerial Location Map</li><li>3. TAC Letter</li><li>4. Petitioner's Proposal</li></ol>	

### **PETITION HISTORY**

This petition was introduced at the May 10, 2010 City Council meeting. It was reviewed at the May 25, 2010 Technical Advisory Committee meeting, and it will receive a public hearing at the June 21, 2010 Advisory Plan Commission meeting.

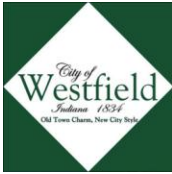
### **PROCEDURAL**

- Rezoning petitions are required to be considered at a public hearing. The public hearing for this petition will be held on June 21, 2010 at the Advisory Plan Commission meeting.
- Notice of the June 21, 2010 public hearing was not provided in accordance with the APC Rules of Procedure. The statutory requirement of newspaper publication was met as well as the local requirement for sending certified letters to neighbors. However, the local requirement for posting a sign on the property did not meet the minimum timing requirement. The APC may waive the notice requirement that was not met.

### **PROJECT OVERVIEW**

#### **Project Description**

The subject property is approximately 9.5 acres in size and is located northwest of the intersection of South Street and Oak Road (the "Property"). The proposed Planned Unit Development ("PUD") Ordinance allows for a maximum of 40 single family dwelling units. The dwelling units would be arranged into "Clusters" of 4 to 12 units per cluster, so that open space and tree preservation could be maximized. The PUD Ordinance establish two different sets of "Cluster" standards: 1) "Cottage Clusters" and 2) "Small Home Cluster", each encourage a variety of dwelling shapes, color schemes and architectural features.



#### Cottage Cluster Configuration

The PUD Ordinance requires that residential structures within Cottage Clusters to be oriented so that the front elevation is facing a common open space, not a roadway. Vehicular access to and from individual lots would occur at the rear of each individual property, and would be accessible from an alley. The single family dwellings within the Cottage Cluster configuration would not exceed 1,500 square feet of first floor living space, and would not cover more than 40 percent of the lot. Each individual dwelling lot would have a minimum of 320 square feet of private open space.

#### Small Home Cluster Configuration

Individual dwellings within the Small Home Clusters, unlike the Cottage Clusters, would be oriented so that front elevations are facing the internal roadway of the PUD. Small Home Clusters would allow vehicular access on either the internal roadway or an alley (if an alley directly abuts an individual property). The single family dwellings within the Small Home Clusters would not exceed 2,000 square feet of first floor living space, and would not cover more than 40 percent of the lot. Each individual dwelling lot would have a minimum of 420 square feet of private open space.

#### Amenities

The PUD Ordinance proposes several amenities for the Property, including: a segment of the Midland Trace Trail; a north-south trail (named Lovers Lane) which would connect Midland Trace Trail to South Street; an arboretum which consists of a diverse set of tree species; a network of pedestrian pathways throughout the Property; blue bird boxes; a minimum of three sculptures on site; and wildflower areas throughout the southern half of the Property.

Approximately half of the Property would be preserved as open space. Within these areas, Tree Protection Zones would be established to mitigate the threat of existing, mature trees being harmed during and after the development/construction process. The PUD lists extensive rules and procedures for care and protection of such areas.

#### Comprehensive Plan (Feb 2007, as amended)

The Westfield-Washington Township Comprehensive Plan identifies the Property as being located within the "Downtown" land use classification. This classification recommends a diversity of land uses, including residential development.

#### Thoroughfare Plan (Feb 2007, as amended)

The Westfield-Washington Township Thoroughfare Plan identifies South Street as a "Collector" street, with a half right-of-way requirement of 35 feet.



#### Annexation

The Property is not within the corporate boundaries of the City of Westfield. The Community Development Department will work with the petitioner to ensure proper annexation of the Property at the appropriate time.

#### Well Head Protection-Ord. 05-31

The Property is not within a wellhead protection area.

### **“BIG PICTURE” DISCUSSION ITEMS**

#### Cluster Housing Design

The proposal includes grouping homes closer together than what Westfield typically approves. This concept addresses traditional zoning standards, such as setbacks, building separation and building orientation in an unconventional manner. The petitioner is planning to address this issue at the Public Hearing.

#### Alternative Street Materials

The Kalorama Park PUD proposes the use of stone or gravel for the construction of alleys. This is a departure from the City’s standard of improving vehicular infrastructure. The Community Development Department and Public Works Department have made the petitioner aware of this difference and will continue to work with the petitioner to evaluate and finalize these creative alternatives. The Plan Commission may wish to discuss this item further at the Public Hearing.

#### Alternative Drainage Solutions

The Kalorama Park PUD proposes the use of low impact design, bio-swales, and pervious paving to manage storm water runoff and drainage. These methods are not traditionally how storm water management is addressed in Westfield. The Community Development Department and Public Works Department have made the petitioner aware of this difference and will continue to work with the petitioner to evaluate and finalize these creative alternatives. The Plan Commission may wish to discuss this item further at the Public Hearing.

#### Technical Comments

The petitioner continues to work with the Community Development Department, the Public Works Department, the Fire Department and the other Technical Advisory Committee agencies to address the more technical issues related to the proposal. To the extent there are items requiring APC consideration, such items will be presented to the APC as this proposal moves forward through the zoning review and approval process.



### **STATUTORY CONSIDERATIONS**

Ind. Code 36-7-4-603 states that when considering requests for changes in zoning, reasonable regard shall be paid to:

1. The Comprehensive Plan.
2. Current conditions and the character of current structures and uses.
3. The most desirable use for which the land is adapted.
4. The conservation of property values throughout the jurisdiction.
5. Responsible growth and development.

### **PROCESS REQUIREMENTS**

<u>Required Submittals</u>	<u>Original</u>	<u>Amended</u>	<u>Status</u>
Application	04/30/10	-	Submitted
Fees	05/21/10	-	Paid
Legal Description	04/30/10	-	Submitted
Consent Form	None	-	N/A
Neighbor Meeting	06/17/10	-	Meeting Held
PUD Ordinance	04/30/10	-	Submitted

<u>Required Procedure</u>	<u>Original</u>	<u>Status</u>
Pre-Filing Conference	04/15/10	Meeting Held
Notice - Sign on site	06/17/10	Posted
Notice – Newspaper	05/25/10	Published
Notice – Mail	06/09/10	Postmarked

### **STAFF COMMENTS**

1. Hold a public hearing on this item at the June 21, 2010 APC meeting.
2. No action is required at this time.
3. If any APC member has questions prior to the public hearing, then please contact Ryan Schafer at 219.8876 or [rschafer@westfield.in.gov](mailto:rschafer@westfield.in.gov)

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**RAS**